

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MONET CARTER-MIXON, as Personal
Representative of the Estate of MANUEL
ELLIS, and MARCIA CARTER,

Plaintiffs,

vs.

CITY OF TACOMA, CHRISTOPHER
BURBANK, MATTHEW COLLINS,
MASYIH FORD, TIMOTHY RANKINE,
ARMANDO FARINAS, RON
KOMAROVSKY, PIERCE COUNTY,
GARY SANDERS, and ANTHONY
MESSINEO,

Defendants.

NO. 3:21-cv-05692-BHS

PIERCE COUNTY DEFENDANTS'
ANSWER TO PLAINTIFFS' AMENDED
COMPLAINT

JURY DEMAND

I. ANSWER

COME NOW the Defendants, Pierce County, by and through their attorneys of record,
Mary E. Robnett, Pierce County Prosecuting Attorney, and Peter J. Helmberger, Deputy
Prosecuting Attorney, and make the following Answer to Plaintiffs' Amended Complaint for
Personal Injuries. These answering Defendants deny each and every allegation of Plaintiffs'
Complaint not specifically admitted to herein.

1
2 1.1 In answer to the allegations contained in paragraph 1.1 of Plaintiffs' Amended
3 Complaint, Pierce County Defendants Presumptively admit.

4 1.2 In answer to the allegations contained in paragraph 1.2 of Plaintiffs' Amended
5 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
6 of the statements in this section and therefore deny the same.

7 1.3 In answer to the allegations contained in paragraph 1.3 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
9 of the statements in this section and therefore deny the same.

10 1.4 In answer to the allegations contained in paragraph 1.4 of Plaintiffs' Amended
11 Complaint, Pierce County Defendants deny the same.

12 1.5 In answer to the allegations contained in paragraph 1.5 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants deny the same.

14 2.1 In answer to the allegations contained in paragraph 2.1 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants Presumptively Admit.

16 2.2 In answer to the allegations contained in paragraph 2.2 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants Presumptively Admit.

18 2.3 In answer to the allegations contained in paragraph 2.3 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 2.4 In answer to the allegations contained in paragraph 2.4 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 2.5 In answer to the allegations contained in paragraph 2.5 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 2.6 In answer to the allegations contained in paragraph 2.6 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 2.7 In answer to the allegations contained in paragraph 2.7 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 2.8 In answer to the allegations contained in paragraph 2.8 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 2.9 In answer to the allegations contained in paragraph 2.9 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 2.10 In answer to the allegations contained in paragraph 2.10 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants deny any actions were taken for the benefit of the marital
17 community and admit the remaining allegations.

18 2.11 In answer to the allegations contained in paragraph 2.11 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants Deny the actions were taken for the benefit of the marital
20 community and admit the remaining allegations.

21 2.12 In answer to the allegations contained in paragraph 2.12 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants deny there were civil rights violations and admit the
23 remaining allegations.

24 3.1 In answer to the allegations contained in paragraph 3.1 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants admit the same.

2 3.2 In answer to the allegations contained in paragraph 3.2 of Plaintiffs' Amended
3 Complaint, Pierce County Defendants admit the same.

4 3.3 In answer to the allegations contained in paragraph 3.3 of Plaintiffs' Amended
5 Complaint, Pierce County Defendants admit the same.

6 4.1 In answer to the allegations contained in paragraph 4.1 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.2 In answer to the allegations contained in paragraph 4.2 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 4.3 In answer to the allegations contained in paragraph 4.3 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 4.4 In answer to the allegations contained in paragraph 4.4 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
17 of the statements in this section and therefore deny the same.

18 4.5 In answer to the allegations contained in paragraph 4.5 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 4.6 In answer to the allegations contained in paragraph 4.6 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 4.7 In answer to the allegations contained in paragraph 4.7 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 4.8 In answer to the allegations contained in paragraph 4.8 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.9 In answer to the allegations contained in paragraph 4.9 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.10 In answer to the allegations contained in paragraph 4.10 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 4.11 In answer to the allegations contained in paragraph 4.11 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 4.12 In answer to the allegations contained in paragraph 4.12 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
17 of the statements in this section and therefore deny the same.

18 4.13 In answer to the allegations contained in paragraph 4.13 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 4.14 In answer to the allegations contained in paragraph 4.14 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 4.15 In answer to the allegations contained in paragraph 4.16 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 4.16 In answer to the allegations contained in paragraph 4.16 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.17 In answer to the allegations contained in paragraph 4.17 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.18 In answer to the allegations contained in paragraph 4.18 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 4.19 In answer to the allegations contained in paragraph 4.19 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 4.20 In answer to the allegations contained in paragraph 4.20 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
17 of the statements in this section and therefore deny the same.

18 4.21 In answer to the allegations contained in paragraph 4.21 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 4.22 In answer to the allegations contained in paragraph 4.22 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 4.23 In answer to the allegations contained in paragraph 4.23 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 4.24 In answer to the allegations contained in paragraph 4.24 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.25 In answer to the allegations contained in paragraph 4.25 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.26 In answer to the allegations contained in paragraph 4.26 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants admit the same.

11 4.27 In answer to the allegations contained in paragraph 4.27 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants admit the same.

13 4.28 In answer to the allegations contained in paragraph 4.28 of Plaintiffs' Amended
14 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
15 of the statements in this section and therefore deny the same.

16 4.29 In answer to the allegations contained in paragraph 4.29 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants deny the same.

18 4.30 In answer to the allegations contained in paragraph 4.30 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 4.31 In answer to the allegations contained in paragraph 4.31 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 4.32 In answer to the allegations contained in paragraph 4.32 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 4.33 In answer to the allegations contained in paragraph 4.33 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.34 In answer to the allegations contained in paragraph 4.34 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.35 In answer to the allegations contained in paragraph 4.35 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 4.36 In answer to the allegations contained in paragraph 4.36 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 4.37 In answer to the allegations contained in paragraph 4.37 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
17 of the statements in this section and therefore deny the same.

18 4.38 In answer to the allegations contained in paragraph 4.38 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
20 of the statements in this section and therefore deny the same.

21 4.39 In answer to the allegations contained in paragraph 4.39 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
23 of the statements in this section and therefore deny the same.

24 4.40 In answer to the allegations contained in paragraph 4.40 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
2 of the statements in this section and therefore deny the same.

3 4.41 In answer to the allegations contained in paragraph 4.41 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.42 In answer to the allegations contained in paragraph 4.42 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
8 of the statements in this section and therefore deny the same.

9 4.43 In answer to the allegations contained in paragraph 4.43 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants admit the same.

11 4.44 In answer to the allegations contained in paragraph 4.44 of Plaintiffs' Complaint,
12 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
13 statements in this section and therefore deny the same.

14 4.45 In answer to the allegations contained in paragraph 4.45 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants deny the same.

16 4.46 In answer to the allegations contained in paragraph 4.46 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants admit the same.

18 4.47 In answer to the allegations contained in paragraph 3.1 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants admit the same.

20 4.48 In answer to the allegations contained in paragraph 4.48 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants deny the same.

22 4.49 In answer to the allegations contained in paragraph 4.49 of Plaintiffs' Amended
23 Complaint, Pierce County Defendants deny the same.

24 4.50 In answer to the allegations contained in paragraph 4.28 of Plaintiffs' Amended

1 Complaint, Pierce County Defendants deny there was an assault, admit medical assistance was
2 requested and are without sufficient knowledge as to the truth or falsity of the statements in this
3 section and therefore deny the same.

4 4.51 In answer to the allegations contained in paragraph 4.51 of Plaintiffs' Complaint,
5 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
6 statements in this section and therefore deny the same.

7 4.52 In answer to the allegations contained in paragraph 4.52 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
9 of the statements in this section and therefore deny the same.

10 4.53 In answer to the allegations contained in paragraph 4.53 of Plaintiffs' Amended
11 Complaint, Pierce County Defendants deny the same.

12 4.54 In answer to the allegations contained in paragraph 4.54 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
14 of the statements in this section and therefore deny the same.

15 4.55 In answer to the allegations contained in paragraph 4.55 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants deny the same.

17 4.56 In answer to the allegations contained in paragraph 4.56 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants admit the same.

19 4.57 In answer to the allegations contained in paragraph 4.57 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants admit the same.

21 4.58 In answer to the allegations contained in paragraph 4.58 of Plaintiffs' Complaint,
22 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
23 statements in this section and therefore deny the same.

24 4.59 In answer to the allegations contained in paragraph 4.59 of Plaintiffs' Complaint,

1 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
2 statements in this section and therefore deny the same.

3 4.60 In answer to the allegations contained in paragraph 4.60 of Plaintiffs' Complaint,
4 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
5 statements in this section and therefore deny the same.

6 4.61 In answer to the allegations contained in paragraph 4.61 of Plaintiffs' Complaint,
7 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
8 statements in this section and therefore deny the same.

9 4.62 In answer to the allegations contained in paragraph 4.62 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants admit the same.

11 4.65 In answer to the allegations contained in paragraph 4.65 of Plaintiffs' Amended
12 Complaint, this section calls for a legal conclusion and Pierce County Defendants, therefore,
13 deny the same.

14 4.66 In answer to the allegations contained in paragraph 4.66 of Plaintiffs' Amended
15 Complaint, this section calls for a legal conclusion and Pierce County Defendants, therefore,
16 deny the same.

17 4.66 In answer to the allegations contained in paragraph 4.66 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants deny the same.

19 4.67 In answer to the allegations contained in paragraph 4.67 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants deny the same.

21 4.68 In answer to the allegations contained in paragraph 4.68 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants deny the same.

23 4.69 In answer to the allegations contained in paragraph 4.69 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants admit the same.

1 4.70 In answer to the allegations contained in paragraph 4.70 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants admit the same.

3 4.71 In answer to the allegations contained in paragraph 4.71 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants deny the same.

5 4.72 In answer to the allegations contained in paragraph 4.72 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants deny the same.

7 4.73 In answer to the allegations contained in paragraph 4.73 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants deny the same.

9 4.74 In answer to the allegations contained in paragraph 4.74 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants deny the same.

11 4.75 In answer to the allegations contained in paragraph 4.75 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
13 of the statements in this section and therefore deny the same.

14 4.76 In answer to the allegations contained in paragraph 4.76 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
16 of the statements in this section and therefore deny the same.

17 4.77 In answer to the allegations contained in paragraph 4.77 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
19 of the statements in this section and therefore deny the same.

20 4.78 In answer to the allegations contained in paragraph 4.78 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
22 of the statements in this section and therefore deny the same.

23 4.79 In answer to the allegations contained in paragraph 4.79 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity

1 of the statements in this section and therefore deny the same.

2 4.80 In answer to the allegations contained in paragraph 4.80 of Plaintiffs' Amended
3 Complaint, Pierce County Defendants admit the interviews were held between March 6 and
4 March 9, 2020.

5 4.81 In answer to the allegations contained in paragraph 4.81 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants admit the same.

7 4.82 In answer to the allegations contained in paragraph 4.82 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants deny the same.

9 4.83 In answer to the allegations contained in paragraph 4.83 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants deny the same.

11 4.84 In answer to the allegations contained in paragraph 4.84 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
13 of the statements in this section and therefore deny the same.

14 4.85 In answer to the allegations contained in paragraph 4.85 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
16 of the statements in this section and therefore deny the same.

17 4.86 In answer to the allegations contained in paragraph 4.86 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
19 of the statements in this section and therefore deny the same.

20 4.87 In answer to the allegations contained in paragraph 4.87 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
22 of the statements in this section and therefore deny the same.

23 4.88 In answer to the allegations contained in paragraph 4.88 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants admit the same.

1 4.89 In answer to the allegations contained in paragraph 4.89 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants admit the same.

3 4.90 In answer to the allegations contained in paragraph 4.90 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants admit the same.

5 4.91 In answer to the allegations contained in paragraph 4.91 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants deny the same.

7 4.92 In answer to the allegations contained in paragraph 4.92 of Plaintiffs' Complaint,
8 Defendant Pierce County is without sufficient knowledge as to the truth or falsity of the
9 statements in this section and therefore deny the same.

10 4.93 In answer to the allegations contained in paragraph 4.93 of Plaintiffs' Amended
11 Complaint, Pierce County Defendants deny the same.

12 4.94 In answer to the allegations contained in paragraph 4.94 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants admit the same.

14 4.95 In answer to the allegations contained in paragraph 4.95 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
16 of the statements in this section and therefore deny the same.

17 4.96 In answer to the allegations contained in paragraph 4.96 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
19 of the statements in this section and therefore deny the same.

20 4.97 In answer to the allegations contained in paragraph 4.97 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
22 of the statements in this section and therefore deny the same.

23 4.98 In answer to the allegations contained in paragraph 4.98 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity

1 of the statements in this section and therefore deny the same.

2 4.99 In answer to the allegations contained in paragraph 4.99 of Plaintiffs' Amended
3 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
4 of the statements in this section and therefore deny the same.

5 4.100 In answer to the allegations contained in paragraph 4.100 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
7 of the statements in this section and therefore deny the same.

8 4.101 In answer to the allegations contained in paragraph 4.101 of Plaintiffs' Amended
9 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
10 of the statements in this section and therefore deny the same.

11 4.102 Admit the Washington State Attorney General's Office announced a charging
12 decision but the County is without knowledge regarding the extent of the review of evidence and
13 applicable law

14 4.103 In answer to the allegations contained in paragraph 4.103 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants presumptively admit this is an accurate quote of the
16 Declaration of Probable Cause.

17 4.104 In answer to the allegations contained in paragraph 4.104 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants admit the same.

19 4.105 In answer to the allegations contained in paragraph 4.105 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
21 of the statements in this section and therefore deny the same.

22 4.106 In answer to the allegations contained in paragraph 4.106 of Plaintiffs' Amended
23 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
24 of the statements in this section and therefore deny the same.

1 4.107 In answer to the allegations contained in paragraph 4.107 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants deny the same.

3 4.108 In answer to the allegations contained in paragraph 4.108 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 4.109 In answer to the allegations contained in paragraph 4.109 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants deny the same.

8 4.110 In answer to the allegations contained in paragraph 4.110 of Plaintiffs' Amended
9 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
10 of the statements in this section and therefore deny the same.

11 4.111 In answer to the allegations contained in paragraph 4.111 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants deny Manuel Ellis was treated like a wild animal. Pierce
13 County Defendants are without sufficient knowledge as to the truth or falsity of the remaining
14 allegations in this section and therefore deny the same.

15 4.112 In answer to the allegations contained in paragraph 4.112 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants deny the same.

17 4.113 In answer to the allegations contained in paragraph 4.113 of Plaintiffs' Amended
18 Complaint, the allegations in this paragraph are speculative and argumentative and are, therefore,
19 denied by Pierce County Defendants.

20 4.114 In answer to the allegations contained in paragraph 4.114 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
22 of the statements in this section and therefore deny the same.

23 4.115 In answer to the allegations contained in paragraph 4.115 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity

1 of the statements in this section and therefore deny the same.

2 4.116 In answer to the allegations contained in paragraph 4.116 of Plaintiffs' Amended
3 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
4 of the statements in this section and therefore deny the same.

5 4.117 In answer to the allegations contained in paragraph 4.117 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
7 of the statements in this section and therefore deny the same.

8 4.118 In answer to the allegations contained in paragraph 4.118 of Plaintiffs' Amended
9 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
10 of the statements in this section and therefore deny the same.

11 4.119 In answer to the allegations contained in paragraph 4.119 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
13 of the statements in this section and therefore deny the same.

14 4.120 In answer to the allegations contained in paragraph 4.120 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants deny the same.

16 4.121 In answer to the allegations contained in paragraph 4.121 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants deny the same.

18 4.122 In answer to the allegations contained in paragraph 4.122 of Plaintiffs' Amended
19 Complaint, Pierce County Defendants deny the same.

20 4.123 In answer to the allegations contained in paragraph 4.123 of Plaintiffs' Amended
21 Complaint, Pierce County Defendants deny the same.

22 4.124 In answer to the allegations contained in paragraph 4.124 of Plaintiffs' Amended
23 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
24 of the statements in this section and therefore deny the same.

1 4.125 In answer to the allegations contained in paragraph 4.125 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants deny the same.

3 4.126 In answer to the allegations contained in paragraph 4.126 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
5 of the statements in this section and therefore deny the same.

6 5.1 In answer to the allegations contained in paragraph 5.1 of Plaintiffs' Amended
7 Complaint, Pierce County Defendants deny the same.

8 5.2 In answer to the allegations contained in paragraph 5.2 of Plaintiffs' Amended
9 Complaint, Pierce County Defendants deny the same.

10 5.3 In answer to the allegations contained in paragraph 5.3 of Plaintiffs' Amended
11 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
12 of the statements in this section and therefore deny the same.

13 5.4 In answer to the allegations contained in paragraph 5.4 of Plaintiffs' Amended
14 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
15 of the statements in this section and therefore deny the same.

16 5.5 In answer to the allegations contained in paragraph 5.5 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
18 of the statements in this section and therefore deny the same.

19 5.6 In answer to the allegations contained in paragraph 5.6 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
21 of the statements in this section and therefore deny the same.

22 5.7 In answer to the allegations contained in paragraph 5.7 of Plaintiffs' Amended
23 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
24 of the statements in this section and therefore deny the same.

1 5.8 In answer to the allegations contained in paragraph 5.8 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants deny the same.

3 5.9 In answer to the allegations contained in paragraph 5.9 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants deny the same.

5 5.10 In answer to the allegations contained in paragraph 5.10 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants deny the same.

7 5.11 In answer to the allegations contained in paragraph 4.112 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants deny the same.

9 5.12 In answer to the allegations contained in paragraph 5.12 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants deny the same.

11 5.13 In answer to the allegations contained in paragraph 5.13 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants deny the same.

13 5.14 In answer to the allegations contained in paragraph 5.4 of Plaintiffs' Amended
14 Complaint, Pierce County Defendants deny the same.

15 5.15 In answer to the allegations contained in paragraph 5.15 of Plaintiffs' Amended
16 Complaint, Pierce County Defendants deny the same.

17 5.16 In answer to the allegations contained in paragraph 5.16 of Plaintiffs' Amended
18 Complaint, Pierce County Defendants deny the same.

19 5.17 In answer to the allegations contained in paragraph 5.17 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants deny the same.

21 5.18 In answer to the allegations contained in paragraph 5.18 of Plaintiffs' Amended
22 Complaint, Pierce County Defendants deny the same.

23 5.19 In answer to the allegations contained in paragraph 5.19 of Plaintiffs' Amended
24 Complaint, Pierce County Defendants deny the same.

1 5.20 In answer to the allegations contained in paragraph 5.20 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants deny the same.

3 5.21 In answer to the allegations contained in paragraph 5.21 of Plaintiffs' Amended
4 Complaint, Pierce County Defendants deny the same.

5 5.22 In answer to the allegations contained in paragraph 5.22 of Plaintiffs' Amended
6 Complaint, Pierce County Defendants deny the same.

7 5.23 In answer to the allegations contained in paragraph 5.22 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants Presumptively Admit.

9 5.24 In answer to the allegations contained in paragraph 5.24 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
11 of the statements in this section and therefore deny the same.

12 5.25 In answer to the allegations contained in paragraph 5.25 of Plaintiffs' Amended
13 Complaint, Pierce County Defendants deny the same.

14 5.26 In answer to the allegations contained in paragraph 5.26 of Plaintiffs' Amended
15 Complaint, Pierce County Defendants deny the same.

16 6.1 In answer to the allegations contained in paragraph 6.1 of Plaintiffs' Amended
17 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
18 of the statements in this section and therefore deny the same.

19 6.2 In answer to the allegations contained in paragraph 6.2 of Plaintiffs' Amended
20 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
21 of the statements in this section and therefore deny the same.

22 6.3 In answer to the allegations contained in paragraph 6.3 of Plaintiffs' Amended
23 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
24 of the statements in this section and therefore deny the same.

1 6.4 In answer to the allegations contained in paragraph 6.4 of Plaintiffs' Amended
2 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
3 of the statements in this section and therefore deny the same.

4 6.5 In answer to the allegations contained in paragraph 6.5 of Plaintiffs' Amended
5 Complaint, Pierce County Defendants are without sufficient knowledge as to the truth or falsity
6 of the statements in this section and therefore deny the same.

7 6.6 In answer to the allegations contained in paragraph 6.6 of Plaintiffs' Amended
8 Complaint, Pierce County Defendants deny the same.

9 6.7 In answer to the allegations contained in paragraph 6.7 of Plaintiffs' Amended
10 Complaint, Pierce County Defendants deny the same.

11 6.8 In answer to the allegations contained in paragraph 6.8 of Plaintiffs' Amended
12 Complaint, Pierce County Defendants deny the same.

13 THESE ANSWERING DEFENDANTS DENY THAT PLAINTIFF IS ENTITLED TO
14 ANY OF THE RELIEF REQUESTED IN PLAINTIFF'S PRAYER FOR RELIEF.

15 **II. AFFIRMATIVE AND OTHER DEFENSES**

16 **FURTHER, AND BY WAY OF AFFIRMATIVE AND OTHER DEFENSES, AND**
17 **ALL OTHER MATTERS OF AVOIDANCE, PIERCE COUNTY, GARY SANDERS,**
18 **AND ANTHONY MESSINEO ALLEGE AS FOLLOWS:**

19 1. INTOXICATION: The injuries and damages, if any, claimed by the Plaintiff
20 were proximately caused or contributed to by the intoxication of Plaintiff.

21 2. EXCUSE AND JUSTIFICATION: If the Plaintiff sustained any injury or
22 damage, the same was the result of reasonable conduct and required conduct of this answering
23 Defendant under the circumstances and was excusable and justifiable in connection with the
24 arrest.

1 3. REASONABLE AND LAWFUL FORCE: Any force utilized by this answering
2 Defendant was reasonable, necessary and lawful under the circumstances.

3 4. QUALIFIED IMMUNITY: Defendant is entitled to qualified immunity as to
4 both state and federal claims of the Plaintiff.

5 **III. PRAYER FOR RELIEF**

6 **WHEREFORE**, having fully answered Plaintiffs' said Amended Complaint, Defendants
7 pray the Court for the following relief:

- 8 1. That Plaintiffs' Amended Complaint be dismissed with prejudice;
- 9 2. That Defendants be awarded their costs and reasonable attorney fees incurred
10 herein;
- 11 3. That Defendants be allowed to reserve the right to amend this Answer to assert
12 such cross-claims, counterclaims, and/or third party claims as during the course of discovery
13 herein becomes proper;
- 14 4. For such other and further relief as may appear just and equitable in the premises.

15 DATED this 8th day of November, 2021.

16 MARY E. ROBNETT
17 Prosecuting Attorney

18 s/ PETER J. HELMBERGER
19 PETER J. HELMBERGER, WSBA # 23041
20 Pierce County Prosecutor / Civil
21 955 Tacoma Avenue South, Suite 301
22 Tacoma, WA 98402-2160
23 Ph: 253-798-7303 / Fax: 253-798-6713
24 peter.helmberger@piercecountywa.gov

23 **CERTIFICATE OF SERVICE**

24 On November 8, 2021, I hereby certify that I electronically filed the foregoing PIERCE
COUNTY DEFENDANTS' ANSWER TO PLAINTIFFS' AMENDED COMPLAINT with the

1 Clerk of the Court using the CM/ECF system which will send notification of such filing to the
2 following:

- 3 • **James Bible**
4 jbiblesblaw@gmail.com, jesse@valdezlehman.com, errin@lovallawgroup.com, James@biblelawgroup.com, monicka@biblelawgroup.com
- 5 • **Robert Leslie Christie**
6 bob@christielawgroup.com, ann@christielawgroup.com, melissa@christielawgroup.com, megan@christielawgroup.com, tom@christielawgroup.com, salim@christielawgroup.com, stefanie@christielawgroup.com
- 7 • **John Barry**
8 john@christielawgroup.com

9 s/ NADINE CHRISTIAN-BRITTAIN
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